

Lead Inspector: William B. Stevens

INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr.		Inspection Date(s) 01/23/2004		
Atlanta, GA 30336		DOT Registration	(s)	
(404) 696-9548				
Type of Operation Shipper/Transporter		DOT Exemption(s)		
Business Organization Small Business	iness Yes	Principal Office (if	different)	
Individual				
Partnership		:		
X Corporation				
State GA Date				
	Person(s)	Interviewed	 	
Name	Title			Custodian of Record
Neil Schwartz	President			Yes
	03/9/04	No Foodbar	A -4:	7 T: 14
Inspector #1 William B. Stevens		No Further	<u> </u>	Ticket
Code DHM-46.5 William 13/	the	Warning Le	tter X	Enforcement Report
Title Hazardous Materials Enforcement	ent Specialist	Other:	\sim	
		~ /oc	day 1	
Inspector #2		Signature J) II and an	
Code Title		Name John F Title Chief.	Heneghan Southern Reg	ion D ()
1100		Date	Boumern Regi	ion 3-12-04
Summary of Inspection				
On January 23, 2004, Senior Hazardous Ma	aterials Enfor	cement Specialist	: William Steve	ens and Edward
Rastetter conducted a compliance inspection				
30336. Mr. Neil Schwartz, President, repre				
documents. Balloon Innovations is a shipp				
DOT specification cylinders.	or arra transp	ortor or mazaraoa.		inpressed gases, in OS
F				
Prior to this inspection, the Southern Regio	n Office of F	Iazardous Materia	ls Enforcemen	t received a telephone
call from Mr. Sam Thompson, Area Vice President of Georgia, for Airgas South, located at 821-D Livingston				
Court, Marietta, GA 30067. He informed u	is of what he	felt was a serious	safety violatio	n concerning US DOT
specification cylinders in the Atlanta, GA a	rea.			
	.•	• • •		
Probable violations noted during the inspec				
(exhibit 1). Violations concerned causing of	-			-
and filling them without further inspection	_	_		<u> </u>
cylinders abraded areas. Further, not being				
on the shipping paper when not authorized	to use it, no t	raining and not m	aintaining ship	oping papers for 3/5

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days.

A letter of corrective action was received (exhibit 13), dated February 20, 2004, from Mr. Schwartz,
addressing the violations. However, they did not completely correct everything. The inspector contacted Ma
Schwartz on February 23, 2004 and advised him of the things still required. He provided the additional
information March 1, 2004

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Violation Number:

1

Number Discovered:

200 +

49 CFR Section:

171.2(a), 173.301(a)(2), 173.301(e) and 180.205(d)(1)&(3).

Exhibit Number

1 through 12.

Filling and offering for transportation, DOT 3AA specification cylinders filled with a hazardous material, Helium, compressed, 2.2, UN1046, while failing to perform new testing and inspection of the cylinders to determine general condition, when cylinders were known and caused to have been subjected to conditions of abrasions, physical abuse, and possible over-heating, which may render the cylinders unsafe for use, in violation of 171.2(a), 173.301(a)(2), 173.301(e) and 180.205(d)(1)&(3).

Evidence

On January 23, 2004, Senior Hazardous Materials Enforcement Specialist William Stevens and Edward Rastetter conducted a compliance inspection at Balloon Innovations, Inc., 3908 Shirley Dr., Atlanta, GA 30336. Mr. Neil Schwartz, President, represented the company during the inspection and provided necessary documents. Balloon Innovations is a shipper and transporter of hazardous materials, compressed gases, in US DOT specification cylinders.

Prior to this inspection, the Southern Region Office of Hazardous Materials Enforcement received a telephone call from Mr. Sam Thompson, Area Vice President of Georgia, for Airgas South, located at 821-D Livingston Court, Marietta, GA 30067. He informed us of what he felt was a serious safety violation concerning stolen US DOT specification cylinders, in the Atlanta, GA area. He followed the phone call with an e-mail explaining everything discussed (exhibit 2). Inspector Stevens proceeded to Airgas South, Inc, at 1088 Atlanta Rd, Marietta, GA on December 31, 2003 and met with Mr. Thompson and Mr. Barnett, and photographed approximately 200 cylinders (exhibit 3).

According to Airgas, the issue is one of safety where Mr. Schwartz of Balloon Innovations (BII) was appropriating other companies' cylinders, having an automobile body shop grind off the original owners name from the shoulder and neck ring area and filling the area on the shoulder with bondo then re-painting the cylinders to hide the abrasions and grindings. This practice was evidently happening for approximately ten years and involves an estimated hundreds of cylinders. Mr. Thompson provided the police investigation worksheet and the police search warrant (exhibit 4).

Airgas also provided a short list of cylinders, by serial number and company ownership, he currently is holding in his possession (exhibit 5). He further plans to destroy these cylinders out of a concern for safety. These tanks did show evidence of the bondo and grinding. The cylinders photographed by the inspector shows where grinding had taken place on the shoulders and neck rings, but most of the original owners names, on the shoulders, under the bondo, were still readable (exhibit 3).

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Violation Number:

1

Number Discovered:

200 +

49 CFR Section:

171.2(a), 173.301(a)(2), 173.301(e) and 180.205(d)(1)&(3).

Exhibit Number

1 through 12.

Inspectors Stevens and Rastetter proceeded to The Professional Body Shop, 2770 Campbellton Rd, SW, Atlanta, GA. Discussions with Mr. Willie Smith, Owner, found he had been grinding the names from the shoulders and neck rings for approximately ten years for Mr. Schwartz of BII. He stated Mr. Schwartz directed him to grind off any company names which appeared on the shoulder or neck ring, fill in the space with bondo and re-paint them. He also stated to remove the name stamped into the cylinders he had started out using a grinding wheel on them and later used a grinding disc for better control. He also had some of his employees do this, other than himself. He further added that he never stamped "BII" into the neck rings (Oral statements, exhibit 6). Mr. Smith provided copies of random invoices to Balloon Innovations for the work he did on the cylinders. These representative samples are from January 2003 back to September 1998 (exhibit 7).

During the inspection at Balloon Innovations, Mr. Schwartz was asked if he did do the things as explained above. He verified that he did in fact take cylinders to The Professional Body Shop and had Mr. Smith remove the original owners name from the shoulders and neck rings and bondo over the depressions and re-paint them (Oral statements, exhibit 8).

When cylinders have been subjected to grinding, the abuse is unknown as to the depth of the grinding, heat temperature generated and/or any direct heat damage. The wall thickness may also be affected. All of these issues are unknowns which should be addressed adequately by inspecting and retesting prior to the next filling and shipping. Mr. Schwartz knew the conditions of the cylinders and had them re-filled without further inspection or retesting.

According to 180.205(d)(1)&(3), a cylinder must be tested and inspected prior to further use...when the cylinder shows evidence of dents...abraded areas...or any other condition that might render it unsafe for transportation and when the cylinder shows evidence or is "known to have been over-heated". Further, 173.301(a)(2) states that a filler cannot fill a tank without performing a visual inspection to determine condition, as noted above. In this case, the cylinders had the abrasive areas filled with bondo and repainted to hide such abuse, thus the filler would not have known the past condition.

Also, under 173.301(e), due to the alleged theft, the original owners, Airgas, did not give Balloon Innovations authority to fill their (Airgas) tanks (exhibit 11).

A letter of corrective action (exhibit 12), dated January 20, 2004, was received from Mr. Swartz. He states the actions he took following the police investigation and shows a letter from BOC gases as to what was done with

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DOT Registration(s)

Violation Number:

1

Number Discovered:

200 +

49 CFR Section:

171.2(a), 173.301(a)(2), 173.301(e) and 180.205(d)(1)&(3).

Exhibit Number

1 through 12.

cylinders he had at the time and any others he has come in contact with since then. He states that he will continue to send them to BOC gases as he comes across them.

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Violation Number:

2

Number Discovered:

1

49 CFR Section:

171.2(a), 172.201(d) and 172.604(a)&(b).

Exhibit Number

1 through 12.

Offering for transportation in commerce, hazardous materials, Helium, compressed, 2.2, UN1046, accompanied by shipping papers, which contained an emergency response telephone number of a party who did not accept responsibility for providing information, nor could that party listed provide any detailed information concerning the hazardous materials, in violation of 49 CFR, §§ 171.2(a), 172.201(d) and 172.604(a)&(b).

During the compliance inspection of Balloon Innovations, Inc., (BII), inspector Stevens requested shipping papers for the cylinders transported by BII on their two trucks (exhibit 9). Mr. Schwartz provided one to the inspector. The shipping paper was dated January 22, 2004 (exhibit 10). It shows transportation of a total of 24 cylinders of Helium, compressed, 2.2, UN1046.

The telephone number "1-800-424-9300" for Chemtrec was listed for emergency response. The inspector asked Mr. Schwartz if he was registered with Chemtrec to use their number for emergency response. He stated he was not registered with them (Oral statement, exhibit 8). Inspector Stevens verified with Chemtrec that BII was not registered with them.

According to 172.604(a)&(b), shipping papers listing hazardous materials are required to provide a 24 hour emergency response telephone number for use in the event of an emergency involving the hazardous material. The telephone number must be monitored at all times the hazardous material is in transportation by a person who can provide emergency information about the hazardous material being shipped, or who can immediately connect the caller to such a person.

A letter of corrective action was received (exhibit 12), dated February 20, 2004, from Mr. Schwartz. He shows where he is using his office telephone number as the emergency contact number since all his transportation is done by his employees during normal business ours. He further states that each truck and the office staff now have copies of the NA ERG Guidebook.

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Violation Number:

3

Number Discovered:

1

49 CFR Section:

171.2(a), 107.601(a)(6) and 107.608(a)&(b).

Exhibit Number

1 through 12.

Offering for transportation in commerce a hazardous material, Helium, compressed, 2.2, UN1046, in a quantity requiring placarding, while failing to register as a shipper of hazardous materials, in violation of 49 CFR 171.2(a), 107.601(a)(6) and 107.608(a)&(b).

During the inspection, inspector Stevens obtained from Mr. Schwartz, a shipping paper (exhibit 10), dated January 22, 2004. The shipment was for 24 cylinders marked 3AA, containing Helium, compressed, 2.2, UN1046, for an approximate weight of at least 2400 pounds. This weight was also expressed by Mr. Schwartz. The inspector also photographed BII's truck containing approximately twenty cylinders awaiting delivery, with the truck properly placarded (exhibit 9).

The inspector asked Mr. Schwartz for his current shipper's registration with the Associate Administrator for Hazardous Materials Safety, which is required for shipments which require placarding, according to 107.601(a)(6) and 107.608 (a)&(b). Mr. Schwartz stated the company was not currently registered with the DOT (Oral statement, exhibit 8).

According to 172.504(c)(1), placarding is required for shipments of non-bulk containers weighing a total of 1001 pounds or more.

A letter of corrective action was received (exhibit 12), dated February 20, 2004 from Mr. Schwartz. He has provided a copy of the check stub to the US Dept of Transportation for \$150 for registration. Inspector Stevens verified through the Registration Office in Washington DC that BII was currently registered.

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DOT Registration(s)

Violation Number:

4

Number Discovered:

1

49 CFR Section:

171.2(a), 172.702(a) and 172.704(a).

Exhibit Number

1 through 12.

Allowing employees to perform a function subject to the requirements of federal hazardous materials regulations when the employees had not received hazardous materials general awareness, function specific or safety training as required by 172.704(a)(1)(2)&(3), in violation of 49 CFR, 171.2(a), 172.702(a) and 172.704(a).

Hazardous materials general awareness training documents and records were requested on two employees associated with the shipping, handling and transporting of hazardous materials. Function specific training documents and records were requested on the same two employees responsible for the documenting the shipping papers. General safety training documents were also requested concerning OSHA related HazComm and Right to Know programs. Hazardous materials training is required by 172.704(a)(1)(2)&(3).

A sample shipping paper shows a shipment of 24 cylinders containing Helium, compressed, 2.2, UN1046 (exhibit 10).

Mr. Schwartz stated that he had not conducted any hazardous materials training, as required by the CFR 49 requirements, with his employees (Oral statement, exhibit 8).

A letter of corrective action was received (exhibit 12), dated March 1, 2004 from Mr. Schwartz. He has provided training documents for general awareness training.

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Nam	e ai	ıd A	dd	ress
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Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548

Inspection Date(s) 01/23/2004

DOT Registration(s)

Violation Number:

5

Number Discovered:

1

49 CFR Section:

171.2(a) and 172.201(e).

Exhibit Number

1 through 12.

Offering and transporting in commerce hazardous materials, Helium, compressed, 2.2, UN1046, accompanied by shipping papers, while failing to maintain shipping papers for 375 days, as required in 172.201(e), in violation of 49 CFR, §§ 171.2(a) and 172.201(e).

During the inspection of the shipping paper Mr. Schwartz provided (exhibit 10), inspector Stevens asked him for past dated ones. Mr. Schwartz stated he does not keep the bills of lading after transportation is over (Oral statement, exhibit 8).

The inspector informed him of the requirement to maintain the shipping papers for 375 days, as required by 172.201(e).

A letter of corrective action was received (exhibit 12), dated February 20, 2004 from Mr. Schwartz. He states in his letter that he is now maintaining the shipping papers as required.

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Research and Special Programs Administration
Office of Hazardous Materials Enforcement

	Office of Hazard	ious Materiais Enforce	ment	
Name and Address Balloon Innovations 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	, Inc.	Inspection Date(s) DOT Registration		4
	Car	rriers Used:		
Is Shipper a Private Ca Is Shipper Interstate:	nrier Yes No		hipper offer by hipper offer by	
Mode:	Name and Address:			
Hwy	Own Trucks		* ·	
	Custom	ners (Consignees):		
Packaging:	Name and Address:		:	
	Local Car Dealerships & ass	sorted businesses	Atlanta, GA	area
	Conta	ainer Suppliers:		
Type:	Name and Address:			Container/Configuration:
			:	

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Raw Material / Outside Service Suppliers:

Material:		Name and Address:	
		:	
	Process Su	ummary	

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Research and Special Programs Administration Office of Hazardous Materials Enforcement

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Atlanta, GA 30336 (404) 696-9548	DOT Registration(s)		
OHME Files		Exhibit Number:	
AAHMS Files		Exhibit Number:	
Addition	al Information		
Photographed cylinders, by the inspector, do not show problems. The depth wasn't even below the stamped		to a depth which might cause	

cylinder weaker under either situation.

Grinding on shoulder produces unknown heat stress and possibly grinding to a depth which may render the

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Name and Address

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Inspection Date(s) 01/23/2004

DOT Registration(s)

Exhibit Summary:

Respondent:		City, State:
#	Evidence	Obtained
1	Exit Briefing, dated January 23, 2004.	William Stevens, Sr. Hazardous Materials Enforcement Specialist, OHME, Southern Region
2	E-mail, Aigas	Sam Thompson, Vice President, Airgas South
3	Photos, Cylinders	William Stevens At Airgas
4	Police Report	Sam Thompson
5	Cylinder Serial Numbers	Sam Thompson
6	Oral Statements, dated December 31, 2003	Willie Smith, Owner, Professional Body Shop
7	Invoices, Cylinder work	Willie Smith
8	Oral Statements, dated January 23, 2004.	Neil Schwartz, President, Balloon Innovations, Inc.
9	Photo, Cylinders at Balloon Innovations	William Stevens
10	Shipping paper, dated January 22, 2004.	Neil Schwartz.
11	E-mail, dated February 23, 2004.	Sam Thompson, Airgas South.
12	Letters of Corrective Action, dated February 20 & March 1, 2004	Neil Schwartz.

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Research and Special Programs Administration Office of Hazardous Materials Enforcement Southern Region U.S. DOT/RSPA/OHME 1701 Columbia Ave, (DHM-46) College Park, Georgia 30337 (404) 305-6120

EXIT BRIEFING

COMPANY NAME BALLOON INNOVATIONS, Inc.	DATE 1/2/04
ADDRESS 3908 Shirley Dr., ATLANTA, GA 3033	6
NAME OF INDIVIDUALS RECEIVING THE BRIEFING:	
Name: NEIL SWAR SchOLATZ	_ Title: PRESIDENT
Name:	Title:
Name:	Title:
This has been a compliance inspection conducted in accordance with Title 49 addresses only the areas noted, and it is not a finding of general compliance in Materials Regulations that were subject to the inspection.	any other areas covered by the Hazardous
During the course of the inspection the following probable violations of 49 CFR a	nd/or quality control items were noted:
PROBABLE VIOLATIONS:	0.3
Section: L71.2(a), 107.601 (a) (6), 107.608(a) Explanation:) +(h)
Shipping a HAZMAT, Helium, Compres	5-18, 2.2, WP1046
in a quantity Requiring Placadding while	Failing to Be
legistared with the US DOT/RSPA of	for the state of t
A H.M.	TWENT TOR Shelfing
Ex: Photos, JAA 2015 of Lo & BOL DATED 1/2	
The JAK 2015 ages & BOL DATES 1/2	-2/04
Section: 171.2 (a), 172.201 (d) +172.604(c) Explanation:	
Shipping a HAZ MAT, Helium, Compressed	ed, 2.2, up 1046,
with a shipping paper Listing the a	meligency Rasporse
Phone number of Chem Thec 1-	800.424-9000
when the who mot Registered we	ith them for their
11:	S_DOT/RSPA/OHME/SOUTHERN REGIO!
	EPORT NUMBER: 0 4 4 6 5 0 0 5
	KHIBIT NUMBER: COF S
PA PA	AGE NUMBEROF_>

PROBABLE VIOLATIONS:

Section: 171.2 B), 172.704(a)

Explanation:

ion: Failures to provide HM Training to two employeess who handle, load + Teamsport HM, in the sheas of general sourcess, Function Spacific For documenting Box, I general safety.

Section: 171.2(a), 173.301(a), 173.301(e), 180.205(f)(1+3) + Explanation: <math>130.205(f)(1)

Causing cylinders to beguinded upon in the shoulders + neck ling areas + filling with a HAZ mat without testing to determine new wall thicknesses as well as general condition.

- 1. Glinding causes thinnel walls + unknown heat affects.
- 2. Not intoling syl filler stations that syl had been grinded won + thus condition of safe syl was unknown as to assure.
- 3- GRinding Changer GL andition which could lended it unsafe-

Section: L Explanation:

4- Excausing and to Be filled + Transported without the owners permission. Ex: So Cylis Belonging to AIR GAS which had the owners name "LIRGAS" Lemoved By grinding.

U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5 EXHIBIT NUMBER: 7 PAGE NUMBER 2 OF 3

Section:

172.201(e)

Explanation:

Fuiling to andictain Thipping papers for 375 days following delivery.

* Vepbal Statement from MR Schwartz that these was vot being muliufained.

This document is not a final report. The information gathered at this inspection and any probable violations noted will be reviewed prior to finalizing the report. Probable violation(s) may be removed or others may be added during this review. In addition, quality control items may be revised to become probable violations during this review.

Upon determination that a probable violation exists, the Associate Administrator for Hazardous Materials Safety is authorized to impose certain sanctions, including warning letters, compliance orders, and civil penalties. In addition, court actions, including injunctive or criminal proceedings, may be initiated. Title 49 U.S.C. Sections 5123 and 5124 provide for civil and criminal penalties for violation of the Hazardous Materials Regulations.

A civil penalty of not more than \$32,500, but not less than \$275, per violation may be imposed through administrative proceedings initiated by the Office of Chief Counsel of the Research and Special Programs Administration. When a criminal violation has been determined by a court, a fine, or imprisonment for not more than 5 years, or both, may be imposed for each violation.

> The inspector does not determine which sanction, if any, may be imposed and cannot provide information concerning what proceedings will be initiated or sanctions imposed.

Documentation of corrective action submitted in writing to the inspector within 30 days of the inspection may be considered for mitigation should the sanction imposed result in the issuance of a notice proposing a civil penalty. However, any documented corrective action would not eliminate or preclude the initiation of a civil penalty proceeding, a finding of violation, or assessment of a civil penalty.

The Small Business and Agricultural Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about federal agency enforcement activities. The Ombudsman will annually evaluate these activities and rate each agency's responsiveness to small business. If you wish to comment on the inspection and related activities of the Research and Special Programs Administration, call 1-888-REG-FAIR (1-888-734-3247).

I certify that I received the above briefing as it appears on this form. I understand that by signing this form I am in no way expressing agreement with its contents. I am only acknowledging that I have reviewed it and have received a copy.

Signature of Inspectors(s)

Date: 1/23/04

Date: 1/23/04

U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 3 EXHIBIT NUMBER: 1 PAGE NUMBER 3 OF 3

Johnny Barnett

From:

Sam Thompson

Sent:

Tuesday, May 06, 2003 10:11 AM

To: Subject: Johnny Barnett FW. Violation

U.S. DOT/RSPA/OHME/SQUTHERN REGION REPORT NUMBER:

EXHIBIT NUMBER:

PAGE NUMBER

Here it is. Thanks.

Sam Thompson Airgas South

Area Vice President - Georgia

678-776-0023 Cell 240-525-0868 Fax

----Original Message----

From:

Sam Thompson

Sent: To:

Monday, April 21, 2003 7:56 PM 'john.heneghan@respa.dot.gov'

Subject:

Violation

John.

Here is a recap of our conversation from earlier today.

(GMURRAY DEISLLC. US)

Airgas has a customer, Balloon Innovations (BI), located at 3908 Shirley Drive S.W., Atlanta, GA 30336, phone number 404-696-9548, owned by Neal Schwartz. We discovered through an ex-employee of BI that one of our drivers was selling helium cylinders for cash (paid by a BI check) off of his route truck. Upon talking to the ex-employee, we were informed of an employee of BOC Gases also selling for cash from his route truck. We have been picking up empty cylinders for a while which we had not delivered to this customer, as evidenced by previous sales history.

This ex-employee also informed us that there were cylinders whose names were being ground down and remarked as BI cylinders. We were able to make contact with another ex-employee who confirmed what we had been told but also added rnore information. Cylinders of helium are purchased from at least the two drivers (paid for with a company check @ \$10.00 per cylinder delivered) and there have been times when at least one of the drivers has delivered cylinders to a body shop where they are ground and covered over with bondo (?) and painted to appear as unaltered cylinders. This hides the name of the cylinder's owner on the shoulder and the neck ring is ground and restamped with BI or BII.

We were suspicious of some cylinders last Friday so our manager in Marietta, (Johnny Barnett) after we made our usual delivery and picked up empty cylinders for refill, noticed one of the cylinders was stamped with the BI on the neck ring but the cylinder was clearly marked with the Air Products name on the shoulder, a company that Airgas purchased on 3-1-02. * We then used a wire brush on the area just below the serial number and discovered that we were in possession of 2 Holox cylinders, 2 BOC cylinders and one additional Airgas cylinders, all which had been ground and covered with Bondo and painted to appear legitimate. These cylinders are in our possession and are secured in a locked area. We have been told that there are other cylinders from other gas companies that have been altered but we currently do not have any proof of this.

The second ex-employee has told us that there have been a lot of cylinders that have flowed to the body shop. The owner of the shop is also paid per cylinder for each one that he works on, again with a company check. We feel as though, judging from the number of customer owned cylinders that we have observed, that there are hundreds of cylinders that have been altered and the ownership name changed. With the cost of the cylinders, we feel as though the value of these cylinder exceeds \$50,000, not counting the value of the lost revenue on rent, the content of the cylinders and the extra expense that our companies and others have spent to buy additional assets to replace missing cylinders.

We are working on getting a partial list of customers served by BI (from former employees) and will make that available as soon as possible. One other discovery is that all employees are paid a lump sum with zero taxes, fica or social security paid. There is a firm from Florida that is used to "cook the books" (as stated by one of the former employees) and apparently covers for the owner. I have conversed with a BOC representative and my Marietta store manager with the Holox regional manager. Both companies are in a wait and see mode, willing to follow our lead. Our intentions would be to prosecute to the fullest all parties involved (we have started a procedure against our employee but will not finalize until actions against Mr. Schwartz is taken) and BOC is willing to do the same.



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Name and Address

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DOT Registration(s)

Date:

Photograph Summary Sheet

Exhibit Number:

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Photographer: William B. Stevens

Location:

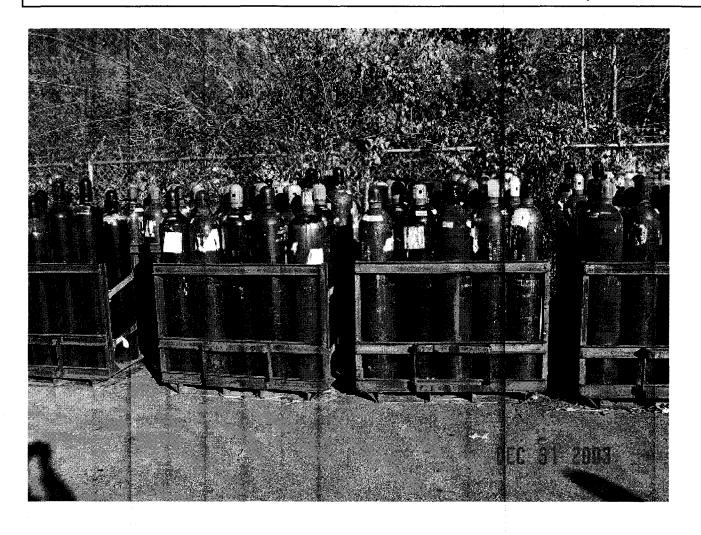
Balloon Innovations, Inc.

12/31/2003

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



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Research and Special Programs Administration Office of Hazardous Materials Enforcement

Name and Address

Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548

Inspection Date(s) 01/23/2004

DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

3 - 2 of 12.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

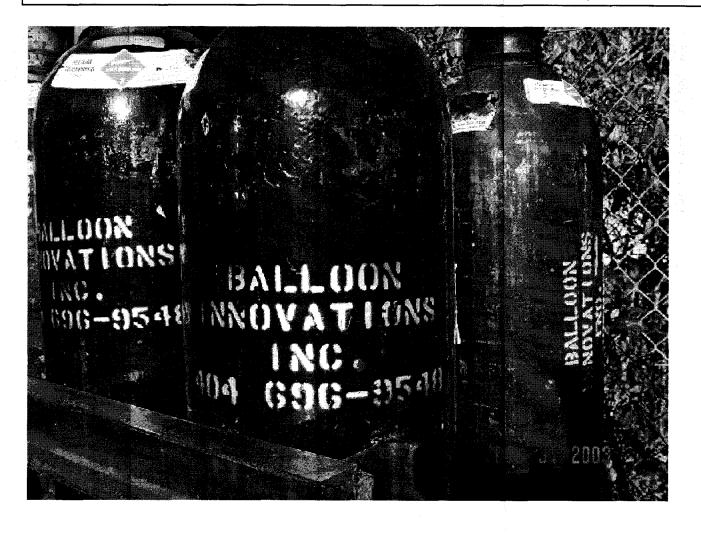
Date:

12/31/2003

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



U. S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

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Exhibit Number:

3 - 3 of 12.

Balloon Innovations, Inc.

Location: City, State:

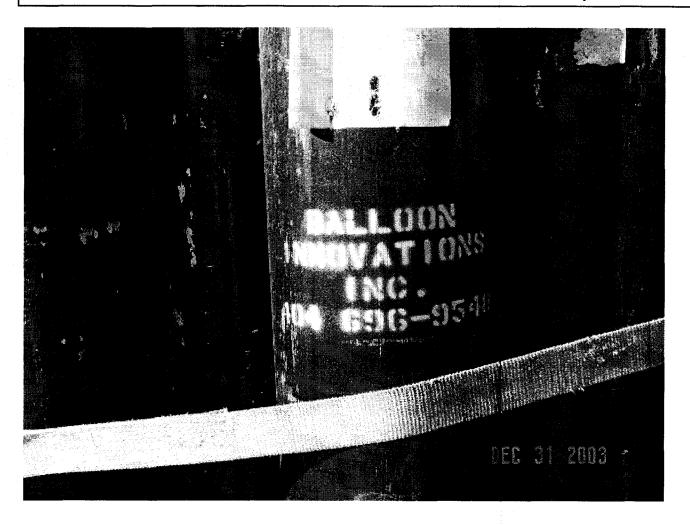
Atlanta, GA

Photographer: William B. Stevens

Date:

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Camera Type: Sony



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U. S. Department of Transportation

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Photograph Summary Sheet

Exhibit Number:

3 - 4 of 12.

Balloon Innovations, Inc.

Location: City, State:

Atlanta, GA

Photographer: William B. Stevens

Date:

12/31/2003

Camera Type:

Sony



Lead Inspector: William B. Stevens

Report Number:



U. S. Department of Transportation Research and Special Programs Administration Office of Hazardous Materials Enforcement

Name and Address

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Exhibit Number:

3 - 5 of 12.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

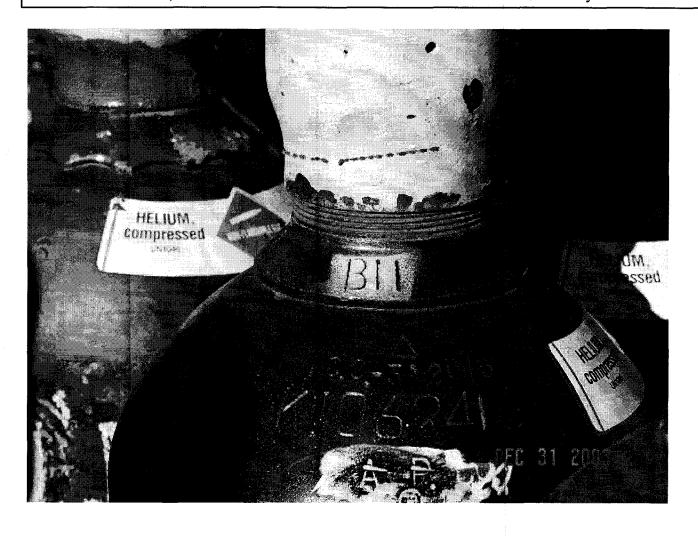
Date:

12/31/2003

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



U. S. Department of Transportation

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Exhibit Number:

3 - 6 of 12.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

Date:

12/31/2003

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



U.S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

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Inspection Date(s)

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DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

3 - 7 of 12.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

Date:

12/31/2003

City, State:

Atlanta, GA

Camera Type:

Sony



Lead Inspector: William B. Stevens

Report Number:



U. S. Department of Transportation

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DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

3 - 8 of 12.

Photographer:

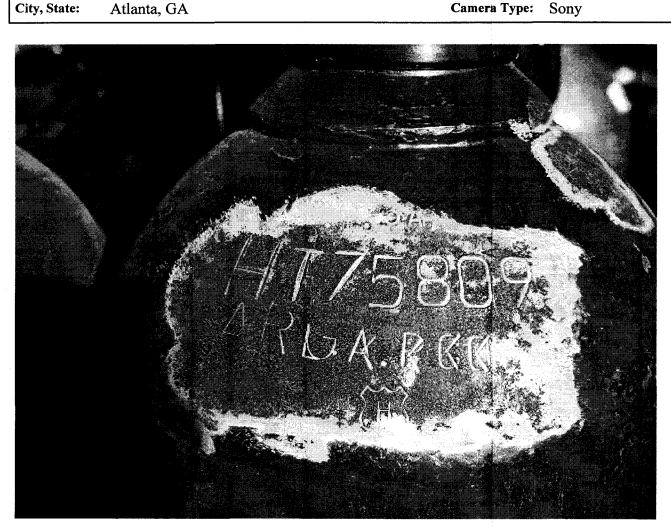
William B. Stevens

Location:

Balloon Innovations, Inc.

Date:

12/31/2003



Lead Inspector: William B. Stevens

Report Number:



U.S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

Name and Address

Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548

Inspection Date(s) 01/23/2004

DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

3 - 9 of 12.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

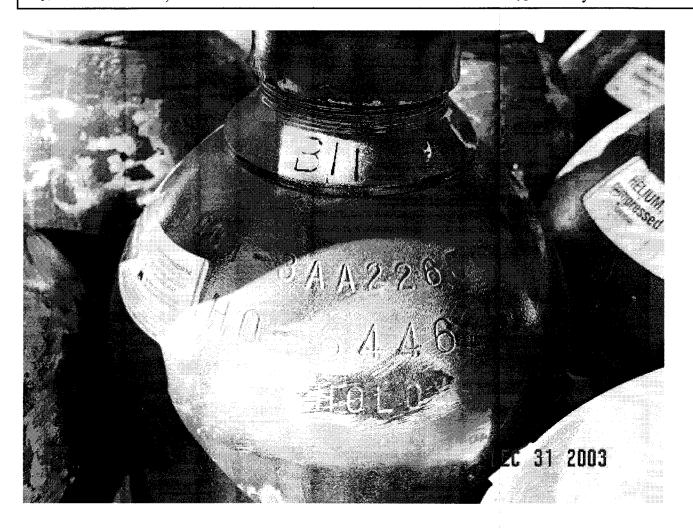
Date:

12/31/2003

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



U. S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

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DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

3 - 10 of 12.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

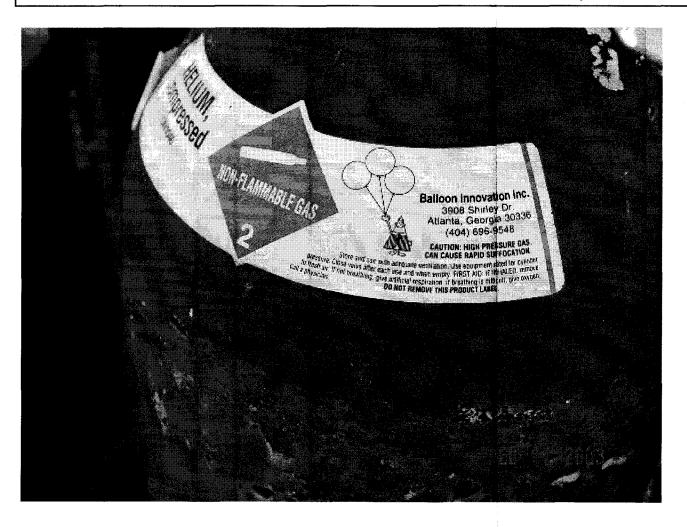
Date:

12/31/2003

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



U.S. Department of Transportation

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Inspection Date(s) 01/23/2004

DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

3 - 11 of 12.

Photographer:

William B. Stevens

Location:

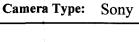
Balloon Innovations, Inc.

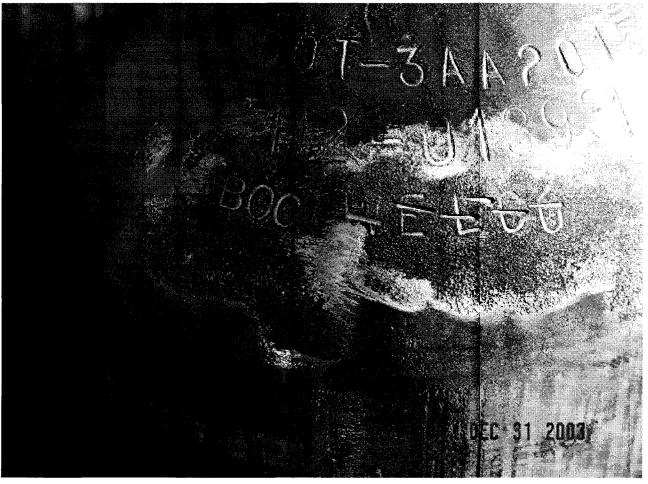
Date:

12/31/2003

City, State:

Atlanta, GA





Lead Inspector: William B. Stevens

Report Number:



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Date:

12/31/2003

City, State:

Atlanta, GA

Camera Type:

Sony



Lead Inspector: William B. Stevens

Report Number:

SUPPLEMENTARY

ATLANTA POLICE DEPARTMENT

Page	 of

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1. Incident / CICA No. 03 187 1179	AIRGAS SOUTH	÷	<u></u>		

INVESTIGATIVE DETAILS.

ON OR ABOUT MAY 8, 2003 JOHNNY BARNETT CAME TO THE FRAUD SQUAD OFFICE IN REFERENCE TO THE THEFT OF PROPERTY FROM HIS COMPANY. BARNETT TOLD ME THAT NEIL SCHWARTZ WAS THE OWNER OF A COMPANY CALLED BALLOON INNOVATIONS (BI) LOCATED AT 3908 SHIRLEY DRIVE SW, FULTON COUNTY. BARNETT HAD RECEIVED INFORMATION FROM ONE OF ACCUSED DRIVERS THAT HE WAS HAVING EMPLOYEES TAKE AIRGAS GAS CYLINDERS. THE CYLINDERS WERE DELIVERED TO A BODY SHOP CALLED, PROFESSIONAL BODY SHOP, LOCATED AT 2770 CAMPBELLTON RAOD SW ATLANTA. JOHNNY BARNETT WENT TO THE BODY SHOP TO VERIFY THAT THE CYLINDERS WERE IN THE BODY SHOP. BARNETT OBSERVED ABOUT 40 GAS CYLINDERS INSIDE THE BODY SHOP. BARNETT HAD RECEIVED INFORMATION THAT ACCUSED PAID THE BODY SHOP TO GRIND OFF THE COMPANY NAME ON THE CYLINDERS AND TO REPAINT THEM WITH BALLOON INNOVATIONS COMPANY COLOR WHICH IS BROWN.

SEARCH.

ON 5-8-03 I OBTAINED A FULTON COUNTY SEARCH WARRANT FOR THE PROFESSIONAL BODY SHOP LOCATED AT 2770 CAMPBELLTON ROAD SW ATLANTA.

ON 5-8-03 ABOUT 1300 HRS. I EXECUTED THE SEARCH WARRANT WITH OTHER OFFICERS AND WITH JOHNY BARNETT AS AN EXPERT WITNESS. INSIDE THE BODY SHOP I RECOVERED 44 GAS CYLINDERS TOTAL. THIRTY ONE OF THE CYLINDERS BELONGED TO AIRGAS SOUTH COMPANY. THE OTHERS BELONGED TO OTHER COMPANIES. ALL THE TANKS WERE CONFISCATED AND RELEASED TO AIRGAS TO BE HELD AS EVIDENCE. JOHNNY BARNETT IDENTIFIED THE TANKS AS HIS PROPERTY AND VERIFIED THAT THEY WERE STOLEN.

INTERVIEW OF WILLIE SMITH, OWNER OF BODY SHOP.

ON 5-8-03 I INTERVIEWED THE OWNER OF THE PROFESSIONAL BODY SHOP LOCATED AT 2770 CAMPBELLTON RD. SW ATLANTA. THE OWNER IS WILLIE FRED SMITH 1968 MARVIN LANE SW ATLANTA, DOB. 8-16-54, GA. DL# 002476158. SMITH ADVISED ME THAT ABOUT TEN YEARS AGO HE STARTED DOING BUSINESS FOR A COMPANY CALLED BALLOON INNOVATIONS OWNED BY NEIL SCHWARTZ. HE SAID THAT NEIL HIRED HIM TO GIND THE COMPANY NAME OFF OF GAS CYLINDERS, BONDO THEM AND THEN PAINT THEM BROWN. SMITH SAID THAT ABOUT EVERY TWO MONTHS NEIL WOULD HAVE 25 TO 40 TANKS DELIVERED TO HIS BODY SHOP AND SMITH WOULD GIND THEM DOWN AND REPAINT THEM. NEIL WOULD HAVE THE CYLINDERS PICKED UP AND SMITH WOULD GET PAID WITH A CHECK FROM BALLOON INNOVATIONS. SMITH SHOWED ME THREE INVOICES THAT WERE FOR THE WORK HE DID FOR BALLOON INNOVATIONS. SMITH HAD THE INVOICE FOR THE TANKS THAT I RECOVERED.

SMITH TOLD ME THAT HE DID NOT KNOW WHERE NEIL SCHWARTZ HAD GOTTEN THE TANKS NOR DID HE KNOW THAT THEY WERE STOLEN. SMITH SIGNED A WRITTEN STATEMENT.

ARREST WARRANT.

ON 7-2-03 A FULTON COUN	TY ARREST WARRANT	rwas issued for 1	THE ARREST OF	ACCUSED.
HE UNDERGROUND, BEING DULY SWORN, UP	on his or her oath, deposes and	STATES THAT THE POREGOING	IS TRUE, CORRECT, COMP	LETE AND LEGIBLE

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	6. Referred to: ☐ Zon ☐ AH		☐ HR ☐ Fug ☐ Nerc	☐ Vice☐ SD☐ STS	Hom B	7. Reporting Offic INV. R.M. BATC	U.S. DOT/RSP
	_ An		C) Nege	₩ 243		9. SWORN TO ATTHIS DAY	REPORT NUM EXHIBIT NUM
	10. Reviewer's Signati	irė -		*****	11.7	12. Supervisor's S	PAGE NUMB

A/OHME/SOUTHERN REC MBER<u>O 4 4 6 5 0</u> 0 5 MBER:

SEARCH WARRANT

IN THE MAGISTRATE COURT OF FULTON COUNTY STATE OF GEORGIA

	Docket No.
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TO ALL PEACE OFFICERS OF THE STATE OF GEORGIA:

Affidavit having been made before me by INV. R.M.BATCHELOR, an officer charged with the duty of enforcing the Criminal Laws, that he/she has reason to believe that in Fulton County, Georgia on the following described person, premises, or property: PROFESSIONAL BODY SHOP 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, GEORGIA, there is now located certain instruments, articles, persons, or things, namely: AIR OR GAS CYLINGERS, which is being held in violation of: THEFT BY RECEIVING STOLEN PROPERTY, 16-8-7.

Based upon the affidavit given under oath or affirmation and all other evidence given to me under oath or affirmation, I am satisfied that there is probable cause to believe that a crime is being committed or has been committed and that the property described above is presently located on the person, premises, or property described above.

You are hereby commanded to enter, search and seize within ten (10) days of this date, the person, premises, or property described above. A copy of this Warrant is to be left with the person searched, or if no person is available, on the premises or vehicle searched, and a written return, including an inventory or any things seized, shall be made before me or a Court of competent jurisdiction without unnecessary delay after the execution of this Search Warrant.

SO ORDERED this the 8 day of may 2005 at 10: 7AM/PM.

JUDGE OF THE MAGISTRATE COURT OF FULTON

COUNTY, STATE OF GEORGIA

U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5 EXHIBIT NUMBER: 4

PAGE NUMBER 2 OF 5

PAGE TWO.

SEARCH WARRANT AFFIDAVIT.
TO SEARCH 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, FULTON COUNTY, GEORGIA.:

YOUR AFFIANT IS A GEORGIA CERTIFIED POLICE OFFICER EMPLOYED WITH THE ATLANTA POLICE DEPARTMENT. AFFIANT HAS BEEN EMPLOYED AS AN ATLANTA POLICE OFFICER FOR THE LAST 29 YEARS. AFFIANT IS ASSIGNED TO THE LARCENY/FRAUD SQUAD AND HAS TWENTY YEARS OF EXPERIENCE. AFFIANT HAS INVESTIGATED THOUSANDS OF LARCENY / FRAUD CASES AND IS FAMILIAR WITH THE METHODS OF OPERATION OF LARCENY AND FRAUD PERPETRATORS. AFFIANT HAS OBTAINED AND EXECUTED NUMEROUS WARRANTS ON FRAUD AND LARCENY INVESTIGATIONS.

ON OR ABOUT 5-6-03 JOHNNY BARNETT, BRANCH MANAGER FOR AIRGAS SOUTH COMPANY, HEREAFTER REFERED TO AS (AIRGAS), CAME TO ME IN REFERENCE TO A THEFT ISSUE. BARNETT ADVISED ME THAT HE HAD RECEIVED INFORMATION FROM A TIPSTER WHOM IDENTIFIED HIMSELF AS NICKY. NICKY ADVISED BARNETT THAT HE HAD WORKED FOR A CUSTOMER OF AIRGAS KNOWN AS BALLOON INNOVATIONS (BI) LOCATED AT 3908 SHIRLEY DRIVE SW ATLANTA. THE OWNER IS NEAL SCHWARTZ. NICKY TOLD BARNETT THAT AIRGAS GAS CYLINDERS WERE BEING STOLEN FROM VARIOUS LOCATIONS IN THE METRO AREA BY BI EMPLOYEES AND AIRGAS EMPLOYEES. THE CYLINDERS WERE BEING PURCHASED BY NEAL SCHWARTZ BY CHECK. THE CYLINDERS WERE THEN TAKEN TO A BODY SHOP LOCATED AT 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, FULTON COUNTY, GEORGIA. THE NAME OF THE BODY SHOP IS BELIEVED TO BE PROFESSIONAL AUTO BODY SHOP. THE SHOP IS OWNED BY A WILLIE SMITH. THE BODY GRINDS THE COMPANY NAMES OFF OF THE CYLINDERS, BONDO'S THEM AND THEN PAINTS THEM FOR SCHWARTZ. NICKY TOLD BARNETT THAT THE BODY SHOP HAS NUMEROUS TANKS, RIGHT NOW.

ON OR ABOUT 4-25-03 JOHNNY BARNETT WENT TO THE BODY SHOP LOCATED AT 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, FULTON COUNTY, GEORGIA ON A PRETEXT. BARNETT OBSERVED OVER 40 CYLINDERS IN THE BODY SHOP. THEY HAD BEEN REPAIRED AND PAINTED AS NICKY HAD INFORMED BARNETT.

DURING THE LAST 10 DAYS JOHNNY BARNETT HAS MONITORED THE TANKS COMING FROM BI. BARNETT HAS FOUND SEVERAL TANKS THAT BELONGS TO AIRGAS THAT HAVE BEEN BONDOED AND REPAINTED.

IOHNNY BARNETT ADVISED AFFIANT THAT HIS COMPANY DOES NOT SELL THE CYLINDERS THAT ARE IN QUESTION IN THIS CASE. AIRGAS NEEDS ALL THE CYLINDERS THAT THEY CAN GET.

AFFIANT REQUEST THAT JOHNNY BARNETT AND OTHERS BE ALLOWED TO ASSIST IN THE SEARCH IN THIS CASE. MR. BARNETT HAS THE EQUIPMENT TO AND KNOWLEDGE TO LOCATE AND UNCOVER HIS COMPANY NAME IN THE CYLINDERS AT THE BODY SHOP.

DUE TO THE ABOVE FACTS, YOUR AFFIANT HAS REASON TO BELIEVE AND DOES BELIEVE THAT THE ITEMS TO BE SEARCHED FOR WILL BE FOUND IN THE LOCATION TO BE SEARCHED AND REQUEST THAT A SEARCH WARRANT BE ISSUED.

SIGNATURE OF AFFIANT.

U.S. DOT/RSPA/OHME/SOUTHERN REGION
REPORT NUMBER: 0 4 4 6 5 0 0 5
EXHIBIT NUMBER: 4
PAGE NUMBER 3 OF 5

NO-KNOCK PROVISION (Not valid unless signed)

IT APPEARING from the aforementioned Affidavit that there are reasonable grounds to believe that the giving of verbal notice would greatly increase the officers' peril and/or lead to the immediate destruction of the instruments, articles, or things to be seized;

IT IS THEREFORE ORDERED that entry be made without knocking and the giving or verbal notice of the officers' authority and purpose.

he officers authority and parpoon
SO ORDERED this the 8 day of Way 2003 at 10 AM PM.
SO ORDERED this trie 8 day of
Al man (Divin
HIDGE OF THE MAGISTRATE COURT OF FULTON
COUNTY, STATE OF GEORGIA
RETURN OF SERVICE
[] This Search Warrant was not executed and is returned to the judicial officer who issued it.
[] This Search Wallant Web 115
[:] I executed this Search Warrant on the Z day of, O at at
and searched the person, premises or property described in the transfer of the person.
warrant:
warrant: [** Was left with \(\)
because on one was available to be given the warrant.
Attached hereto is an inventory consisting of pages, of the instruments, articles, or things which were seized pursuant to this Search Warrant. This inventory was made in the presence of a swear or affirm that this inventory is a true and detailed account of all instruments, articles, or things seized pursuant to this Search Warrant.
The salar
AFFIANT
Sworn and subscribed to before me on this
the day of
the day of C8 15/03
TITLE
U.S. DOT/RSPA/OHME/SOUTHERN REGION

REPORT NUMBER: 0 4 4 6 5 0 0 5

EXHIBIT NUMBER:

PAGE NUMBER 4 OF 5

U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5
REPORT NUMBER: 0 4 4 6 5 0 0 3
EXHI B IT NUMBER:
PAGE NUMBER5_OF5_

JUANITA HICKS, CLERK OF SUPERIOR COURT OF FULTON COUNTY, GEORGIA

1, DO CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE, COMPLETE
AND CORRECT COPY OF THE ORIGINAL IN SAID CASE, AS APPEARS BY THE
URIGINAL ON FILE IN THE OFFICE OF CLERK OF FULTON COUNTY, CRIMINAL
UIVISION, ATLANTA, GA
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PAGE NUMBER 2 OF 3

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U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5

EXHIBIT NUMBER: 5

PAGE NUMBER 3 OF 3

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U.S. Department of Transportation Research & Special Programs Admin. Office of Hazardous Materials Enforcement

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Type of Interview (Telephone or Pe Place of Interview (Office or City	
Person Conducting Interview: Person Being Interviewed: Date:	William Stevens, OHME, SO Mr. Willie Smith, Owner December 31, 2003
Type of Operation:	Automobile Body Shop Repair
Name and Address of Firm:	The Professional Body Shop 2770 Campbellton Rd. Atlanta, GA 30311
Inspector Stevens inquired to Mr.	Smith about the following:

- Q. What did you do for Mr. Schwartz concerning cylinders? A. I was directed to grind off any owners name from the cylinder shoulders and neck rings. Fill in any low places with bondo and repaint them black.
- Q. How was this done?
- A. I used a grinding wheel at first then later started using a grinding disc for better control.
- Did you do any stamping in the shoulders or neck ring to indicate BII?
- A. No. No stamping was performed by my shop, only grinding.

U.S. DOT/RSPA/OHM	ME/SOUT	HERN	REGION
U.S. DOT/RSPA/OHM REPORT NUMBER:_	0446	<u> 350</u>	02
EXHIBIT NUMBER:_	6		
PAGE NUMBER	1 OF 1		

PROFESSIONAL BODY S 2770 Campbellton Rd. Bldg. B





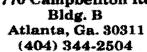


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2770 Campbellton Rd. Bldg. B







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PROFESSIONAL BODY SHOP 2770 Campbellton Rd.





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Atlanta, Ga. 30311 (404) 344-2504

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U.S. Department of Transportation Research & Special Programs Admin. Office of Hazardous Materials Enforcement

Oral Interv	/iew
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Type	of	Interview	(Telephone	or	Persona	1):	Personal	
Place	e of	Interview	(Office o	or Ci	tv, Sta	te):	Atlanta,	GA

Person Conducting Interview: William Stevens, OHME, SO Person Being Interviewed:

Mr. Neil Schwartz, President

January 23, 2004

Type of Operation:

Date:

Cylinder Transporter

Name and Address of Firm:

Balloon Innovations, Inc. 3908 Shirley Dr.

Atlanta, GA 30336

------Inspector Stevens inquired to Mr. Schwartz about the following:

- Q. Did you direct Mr. Smith to grind off the original owners names from the cylinder shoulder area and neck ring? A. Yes. I had him grind them off, bondo in the depression and repaint them black.
- Are you currently registered with Chemtrec to use their emergency services? A. No.
- Are you currently registered with the US DOT for shipping hazardous materials in excess of 1001 lbs? A. No.
- Q. Have you performed any type hazardous materials training as required by the CFR 49? Α. No.
- Q. How long do you maintain your shipping papers?
- A. A few days until bills are paid.

U.S. DOT/RSPA/OHM	IE/SOUTHERN REGION
REPORT NUMBER:	04165005
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PAGE NUMBER	<u> </u>



INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

Name and Address

Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548

Inspection Date(s) 01/23/2004

DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

9 - 1 of 3.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

Date:

01/23/2004

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



INSPECTION / INVESTIGATION REPORT

U.S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

Name and Address

Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548

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DOT Registration(s)

Photograph Summary Sheet

Exhibit Number:

9 - 2 of 3.

Photographer:

William B. Stevens

Location:

Balloon Innovations, Inc.

Date:

01/23/2004

City, State:

Atlanta, GA

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:



INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation

Research and Special Programs Administration Office of Hazardous Materials Enforcement

Name and Address

Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548

Inspection Date(s) 01/23/2004

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Photograph Summary Sheet

Exhibit Number:

9 - 3 of 3.

Location: Ba

Balloon Innovations, Inc.

City, State:

Atlanta, GA

Photographer:

William B. Stevens

Date:

01/23/2004

Camera Type: Sony



Lead Inspector: William B. Stevens

Report Number:

BALLOON INNUVA'I'IUNS, INC. 3908 SHIRLEY DRIVE ATLANTA, GEORGIA 30336 404 696-9548

FOR SPILL, LEAK OR EMERGENCY DURING TRANSPORTATION

CALL CHEMTREC = 1.800-424-9300 24 HRS PER DAY 7 DAYS PER WEEK HAZARDOUS MATERIAL MANIFEST

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_ _	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	U111046	80	- -a		-	-	-		_	-	
_	HELIUM, COMPRESSED	IZINON FLAMMABLE GASI	U1110-16	80	a		-	-	_ -		_	-	
	HELIUM, COMPRESSED	IZINON FLAMMABLE GAS)	U111046	40	R	<u> </u>	-	-			- $ $	-	

Stevens, William (Southern Region)

From: Sam Thompson [sam.thompson@airgas.com]

Sent: Monday, February 23, 2004 12:00 PMTo: Stevens, William (Southern Region)

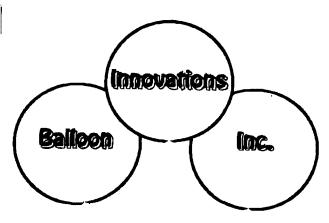
Mr. Stevens.

Airgas has in no way given permission to Balloon Innovations (BI) to fill or have filled by another company any compressed gas cylinder that is owned by Airgas. These cylinders would have been marked with a variety of ownership names i.e. Airgas, ARG, Air Products, AP, etc. These cylinders are the sole property of Airgas and no rights to ownership or the filling of these cylinders has been extended to BI.

Regards,

Sam Thompson Airgas South **Area Vice-President - Georgia** 678-776-0023 cell 240-525-0868 fax

U.S. DOT/RSPA/OHN REPORT NUMBER:_	ME/SOUT	THERN REGIO	ON
EXHIBIT NUMBER:_	11	03003	-
PAGE NUMBER	l OF/		



U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5 EXHIBIT NUMBER: 1 2 PAGE NUMBER 1 OF 26

Mr. William Stevens 1701 Columbia Ave., DHM-46 College Park, Ga. 30337

February 20, 2004

Mr. Stevens:

Below listed is the action that we have taken to correct the probable violations that you and Mr.Rastetter found on your inspection of January 23, 2004.

- a. We have sent in registration to the US DOT [copy of the check stub enclosed]
- b. Copy of our new shipping papers with proper emergency response number. Each truck now has an Emergency Response Guidebook as well as two kept at our office location. Our driver is only out making deliveries when our office is open.
- c. Each driver is having training for Haz-Mat is and has taken written tests from training module 1. Results and copies put into our driver qualification files.
- d. As I explained to you that when the cylinder issue occurred over a year ago BOC gases did the inspection of all cylinders, reference letter enclosed. Any cylinders that were in my location were cylinders that probably were returned from customers since the initial BOC clean up and when we collect them they are going back to BOC for testing. I would also like to address # 4 Airgas had filled all of these cylinders for at least the last 3 years prior to terminating our relationship in May of 2003







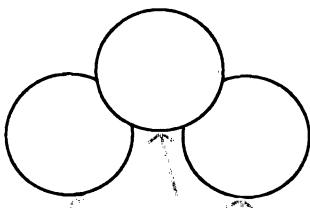
PROMOTION PRODUCTS

3908 SHIRLEY DRIVE • ATLANTA, GEORGIA 30336 TEL: (404) 696-9548 • FAX: (404) 696-2226 e-mail: balloon@1balloon.com Visit oue Website: www.1.balloon









e. I / We now understand that all shipping papers must be kept for 375 days from the date of the delivery. These include the hazardous material manifest and the daily route log.

I think that as you can see we have tried very hard to be in compliance with all the areas you have pointed out to me. Some of these things I had know idea were a requirement I also know that ignorance is no excuse. I am sorry for being ignorant and will assure you that we will continue to be aware of these things that need to be done.

If there is anything that I have overlooked or needs to be addressed kindly let me know so that we can take care of whatever it may be.

Balloon Innovations, Inc.

Neil Schwartz

U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 04465005

EXHIBIT NUMBER:____

PAGE NUMBER 2 OF 20



U.S. Department of Transportation

Research and **Special Programs** Administration

Office of Hazardous Materials Enforcement Southern Region

U.S. DOT/RSPA/OHME 1701 Columbia Ave, (DHM-46) College Park, Georgia 30337 (404) 305-6120

EXIT BRIEFING

COMPANY NAME BALLOON INNOVATIONS, Inc.	DATE 1/27/04
ADDRESS 3908 Shirley Dr., ATLANTA, GA 30336	
NAME OF INDIVIDUALS RECEIVING THE BRIEFING:	
Name: NEIL SWAR SCHWARTZ	Title: PRESIDENT
Name:	Title:
Name:	Title:
This has been a compliance inspection conducted in accordance with Title 49 U.S. addresses only the areas noted, and it is not a finding of general compliance in any Materials Regulations that were subject to the inspection. During the course of the inspection the following probable violations of 49 CFR and/or	other areas covered by the Hazardous
PROBABLE VIOLATIONS:	
Section: L71.2(a), 107.601 (a) (b), 107.608(a) +(1) Explanation:	b)
Shipping a HAZMAT, Helium, Compressad,	· · · · · · · · · · · · · · · · · · ·
I is a quantity Requiring Placeding while For	acting to Ba
Registered with the US DOT/RSPA OFFICE	e for shipping
A. H.M. Ex: Photos, JAA 2015 gls + BOL Duted 1/22/04	U.S. DOT/RSPA/OHME/SOUTHERN REGIO
Section: 171.2 (a) 172.201 (d) +172.604(c) Explanation:	

Shipping a HAZ MAT, Helium, Compressed, 2.2, un 1046, with a shipping paper listing the amergency Response Phone number of Chem Tree 1-800.424-9000, when the ale not Registered with them for their services



PROBABLE VIOLATIONS:

171.2 B), 172.704(a)

Explanation:

Failure to provide Hm Training to two employees who handle, load + Telusport Hm, in the exerts of genalal sourcess, Function Spacific For documenting Bal, (, it general sufety.

171. 2(a), 173.301(a) (2), 173.301(e), 180.205(1) (1)+(3) + Section: 180.205(1)(1) **Explanation:**

Causing cylinders to beguinded upon in the shoulders + neck Ring where + filling with a HAZ MAT without testing to determine now wall thicknesses as well as general condition.

1. Glinding causes thinner walls + unknown heat affects.

2. Not intolming Cyl filler stations that Cyl had been grinded upon + thus condition of safe Cyl was unknown as to assure.

3- Glinding Changer GL condition which could hender it consafe.

Section: E: Hanation:

4- Fallowing ay L to Be Filled + TRANSported without the owners permission. Ex: - Cylis Belonging to AIR GAS malietta, Ga, which had the owners name "LIKGAS" Lemoved By grinding.

Section:

172.201(e)

Explanation:

Fuiling to amaintain Thipping papers for 375 days Following delivery.

* Verbal Statement from MR Schwartz that these she not being mintained.

> U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5 **EXHIBIT NUMBER:** PAGE NUMBER______OF 20

BOC GASES

Date: February 19, 2004

To: Neil Schwartz

From: David Kaltenbacher

Location: Norcross, GA

Subject: Cylinder Inspections

Neil, this is what took place when you began doing cylinder helium business with Boc Gases:

- 1. We delivered to you Boc owned cylinders, while picking up the empty black painted cylinders from your site.
- 2. We shot blasted these black cylinders, at our Chattanooga facility, removing all paint and foreign materials, in order to perform a visual inspection on the body of the cylinders.
- 3. Cylinders identified as being Boc property were inspected visually for any damage (i.e. due to grinding).
- 4. All Boc cylinders passing visual inspection were repainted brown, and put back into service.
- 5. All cylinders found to be owned by a party other than Boc (i.e. Balloon Innovations) were also visually inspected for damage.
- 6. Those cylinders passing visual inspection were re-painted black, filled and returned to you.
- 7. All cylinders both Boc owned and otherwise, found to fail inspection were destroyed.

If you have received any more cylinders that need to go through this procedure, please alert Boc gases, and tag these cylinders for identification purposes. You can contact me directly at 770-935-5923. I will gladly assist you in getting these cylinders to our shop in Chattanooga, for inspection.

Regards,

David Kaltenbacher Operations Manager- Boc Gases

U.S. DOT/RSPA/OHM	IE/SOUTHERN R	EGIQN
REPORT NUMBER:	044650	0.0
EXHIBIT NUMBER:_	12	
PAGE NUMBER 5	OF_20	

TODAY'S DATE_

DAILY ROUTE LOG

HELIUM COMPRESSED 2.2 UN1046

	ORDERS PACKED	TIME OUT	TIME IN		 												
	DRIVER																
	DONE																
	CYL. #S																
	BA.IN.IN																
	BOCIN																
	BA. IN.					-			wife the factors and take complements								
	200 100								Andrews and the country described to the control of the country of								
	# OF TANKS																
404 696-9548	PHONE																
3908 SHIRLEY DR - ATLANTA, GA 30336	CUSTOMER					\mathbf{E}	HII	3IT	NUI	PA/C MBE MBE ER_	R:	E/S0 0	DUT 4 4 72	THEI 1 6 2 20	N R 5 O	EGI O:	ON

FOR SPILL, LEAK
OR EMERGENCY
DURING TRANSPORTATION
CALL 404 696-9548
7 DAYS PER WEEK

PRODUCT

NITROGEN, COMPRESSED

нм

Х

SIGNATURE_

BALLOON INNOVATIONS, INC. 3908 SHIRLEY DRIVE ATLANTA, GEORGIA 30336

DATE

IN

FULL RET

BALANCE

FULL RET

DAILY SALES

SHIP RET

OUT

FULL

HAZARDOUS MATERIAL MANIFEST

НМ

CLASSIFICATION

12(NONFLAMMABLE GAS) UN1066

CYL

SIZE

230

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Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T								1
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T				1				
Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T								ĺ
Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T								
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Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	Т								
Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T								
Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К				İ				
Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К		***************************************						
Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К								
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Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К								i
Х	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К	1 1							l
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К								
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X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К								
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	К								
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X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	110	s								
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					لــــــا	***				<u> </u>			
DUTY	BEGUNTIME					U.S. D	OT/R	SPA/O	OHME	/SQU	THER	N REC	GIC
DUTY	ENDEDTIME					REPO	RT N	UMBF	ER:	04	4 6 5	50 O	15
TOTA	L DUTY HOURSTOTA	L HOURS DRIVING				EXHIE					2		
	NNING MILEAGE	ENDING MILEAGE	TOTA	AL MILE	EAGE)11 IV	UMD	cv:—			•	
	·			·- 1411FF	_/\\\	PAGE	NUN	IBER_		_OF_	<i>Z</i>	_	
									-				

THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED AND LAABELED, AND ARE IN PROPPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION

DATE

014413

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DIS CO UNT TAKEN	UI44I3
	Duce and Sweenipt	tions Exp			150
			:		
				·	
CHECK DATE	CHECK NO.	PAYEE		DISCOUNTS TAKEN	CHECK AMOUNT
2/6/04	14413	US DEPT OF TRANSPORTA	TION		\$15C

U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5

EXHIBIT NUMBER: / 2

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Module 1 - Instructor Manual

TO: 4043056125 P. 044/047
R1'CKeYKOGER
2-2-5-2004

Module	1 ′	Te	st
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J 1. Subpart B of Title 49 CFR, Part 172 is entitled B	
A. Labeling	
B. Table of Hazardous Materials and Special Provisions	
C. Emergency Response Information	
D. Shipping Papers	
✓ 2. "Dieldrin" in a one-pound (net weight) package is regulated a	as a hazardous substance.
(A) True	
B. False	
 The packaging requirements for the proper shipping name "F PG I" are found in Columnof the HMT. 	lammable liquids, n.o.s., 3, UN 1993,
A. (8)	
В. 3	
C. 7	
D. 10A	
4. What is the correct label for a "Consumer commodity"?	
A. Poison label	
B. Oxidizer label	
G. No label required	
D. Organic label	
5. The "+" sign in Column 1 of the HMT	•
A. identifies hazardous substances	
B. fixes the ID number and shipping name	
C. fixes the mode of transportation	
fixes the proper shipping name, hazard class or division	n, and PG
6. Castor beans are regulated when transported by	•
A. Air(A)	
B. G.	
(C) Air and Water (AW)	HC DOT/DOD /Orm
D. Water (W)	U.S. DOT/RSPA/OHME/SOUTHERN REGIO
•	REPORT NUMBER: 04465005
	EXHIBIT NUMBER: 2
	The Care and the C
	PAGE NUMBER 7 OF 20
•	·

Module 2 - Instructor Manual

Module 2 Test

The required basic description on a shipping paper must	be in the following sequence
A. hazard class or division, proper shipping name, ID No. B. total quantity, ID No., PG, hazard class or division, proper shipping name, ID No., PG, hazard class or division, ID No. D. proper shipping name, hazard class or division, ID No.	per shipping name sion
2. Which is the correct additional entry for a shipment of A transported in an MC 331-cargo tank constructed of quen	nhydrous ammonia containing 0.2% water ched and tempered (Q and T) steel?
A. "Noncorrosive"	· · · · · · · · · · · · · · · · · · ·
B. "Not for Q and T Tanks"	
© "0.2 PERCENT WATER"	
D. "Corrosive l-lazard"	
3. Each person who offers a hazardous material to an airc	raft operator for air transportation shall
V provide	
A. three (3) copies of the required certification	
(B) two (2) copies of the required certification	
C. one (1) copies of the required certification	
D. four (4) copies of the required certification	
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	were must be identified with the notation
4. A hazardous material meeting the inhalation toxicity crit	terra musice identified with the nominal
•	
A. Haz/Mat	
B. Poison-Inhalation Hazard	
C. Zone A. B. C. or D (as appropriate)	
(D) b and c	
V 5. The shipper certification for other than a hazardous w	raste may be signed
A manually	
A. manually B. by typewriter or other mechanical means	U.S. DOT/RSPA/OHME/SOUTHERN REGION
C. a signature is not required	REPORT NUMBER: 0 4 4 6 5 0 0 5
(D) a and b	EXHIBIT NUMBER: /2
	PAGE NUMBER 10 OF 22
	TAGE NUMBER 10 OF
Module 2 2002 Edition	on 29

Rickey Rogers

Module 3 - Instructor Manual

Module 3 Test

1. Marking refers to placing information on the outside of th	e shipping container, such as
A. proper shipping name of the material	
B. identification number	
C. other descriptive information	
all of the above	- -
√2. Required package markings must be in English.	
Afrue	
B. False	
3. When two or more different labels are required, they mus	st be displayed
A. on both ends of the package	
B. three inches apart	
C) next to each other	
D. none of the above	
A. AMMO B. Blk, Pwd. C. ORM D. Auto. Btry.	
 Referring to Column 6 of the Hazardous Materials Table ar any, is/are specific for Liquefied petroleum gas. 	nd 172.101(g), indicate what label(s), if
A. Poison	U.S. DOT/RSPA/OHME/SOUTHERN REC
B. Non-Flammable Gas	REPORT NUMBER: 0 4 4 6 5 0 0
C) Flammable Gas	EVHIDIT AUMORD
D. Corrosive and Poison Inhalation Hazard	EXHIBIT NUMBER: /2
	PAGE NUMBER // OF 20
A label is not required on a	ort vehicle
0 2000 5 111	
2002 Edition	Module 3

12

Rickey Rogers

Module 4 - Instructor Manual

Module 4 Test

2002 Edition	Module 4
PAGE	NUMBER_/2_OF_20
	BIT NUMBER: /2
REPO	RT NUMBER: 04465005
U.S. D	OT/RSPA/OHME/SOUTHERN REGIO
es of Division 5.1 (Oxidized-) of Division 6.1 (poison-labourds?	abeled) material weighing led), PG III, material, the
	·
s loaded into a freight contain	ner with a capacity of 18 cubic
h vehicles or freight containe	s that don't require placards.
s materials subject to 172.50	5, placards are not required
Juired if the transport vehicle arded EXPLOSIVES 1.1.	or freight container contains
	, · · · · · · · · · · · · · · · · · · ·
d on shipping document	
	guired if the transport vehicle arded EXPLOSIVES 1.1. s materials subject to 172.50 in vehicles or freight container to container the container must be placarded of Division 5.1 (Oxidized-1 of Division 6.1 (poison-labelards? U.S. E. REPO EXHII PAGE

Module 5 - Instructor Manual

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Module 5 Test

1. A shipment of hazardous materials that is not prepared in accordan	ce with the HMR may not be
offered for transportation by any mode.	



- 2. Hazardous materials packaging may be used more than once provided they comply with Section
- A. 173.29
- **28**), 173.28
- D. 173.25
- 3. The shipper of a hazardous material in a salvage drum must prepare shipping papers for the material.
- A) True
- B. False
- 4. A shipment of four one-liter metal cans of Compound, cleaning liquid, a Class 3 (Flammable liquid), being offered for transportation by aircraft, does not require
- A. label(s)
- B. marking
- C) Specification packaging
- B. any of the above
- 5. A waste Class 3 material (Flammable liquid) is not subject to the specification packaging requirements of the HMR if packaged in accordance with _
- A. 173.29
- B. 173.9
- C. 173,10
- **173.12**

U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5

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Module 5 - Instructor Manual

4

Rufy Roger 2-24-2004

Module 5 Test

1. A shipment of hazardous materials that is not proffered for transportation by any mode.	repared in accordance with the HMR may not be
A. True B. False	
2. Hazardous materials packaging may be used mo	ore than once provided they comply with Section
A. 173.29	
(B) 173.28	
C. 173.23 D. 173.25	
3. The shipper of a hazardous material in a salvage	drum must prepare shipping papers for the material.
A. Truc B. False	in graphic manner.
4. A shipment of four one-liter metal cans of Compo being offered for transportation by aircraft, does no	ound, cleaning liquid, a Class 3 (Flammable liquid), or require
A. label(s)	•
B. marking C Specification packaging	
D. any of the above	
A waste Class 3 material (Flammable liquid) is no requirements of the HMR if packaged in accordance	ot subject to the specification packaging e with
۸. 173,29	
B. 173.9 C. 173.10	
173.12	HS DOT/DSDA/OHME/SOLETTIEDAN DE CO
	U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5
	EXHIBIT NUMBER: 12
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Module 1 - Instructor Manual

Jacon Brailford 2/25/04

Module 1 Test

. Subpart B of Title 49 CFR, Part 172 is entitled	•
A. Labeling	
Table of Hazardous Materials and Special Provisions	
C. Emergency Response Information	
D. Shipping Papers	
2. "Dieldrin" in a one-pound (net weight) package is regulated a	as a hazardous substance.
(A) True	
B. False	
3. The packaging requirements for the proper shipping name "F PG I" are found in Columnof the HMT.	lammable liquids, n.o.s., 3, UN1993,
№ 8	
В. 3	
C. 7	
D. 10A	
1.37	
V4. What is the correct label for a "Consumer commodity"?	
A. Poison label	
B. Oxidizer label	
🔘 No label required	
D. Organic label	
√5. The "+" sign in Column 1 of the HMT	
A. identifies hazardous substances	
B. fixes the ID number and shipping name	
C. fixes the mode of transportation	
tixes the proper shipping name, hazard class or division	and PG
 ← 6. Castor beans are regulated when transported by 	•
A. Λir (A)	
B, G	
Air and Water (AW)	
D. Water (W)	U.S. DOT/RSPA/OHME/SOUTHERN REGION
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	REPORT NUMBER: 0 4 4 6 5 0 0 5
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λ			
	Jason Bradford	Madula 2 Instructor	Manuál
	1250m 1)rac 10°C	Module 2 - Instructor	WIGH 1043
	2/25/04		

Module 2 Test

A. hazard class or division, proper shipping name, ID No. B. total quantity, ID No., PG, hazard class or division, proper shipping name, ID No., PG, hazard class or division, ID No. Diproper shipping name, hazard class or division, ID No.	oper shipping name vision
2. Which is the correct additional entry for a shipment of transported in an MC 331 cargo tank constructed of que	Anhydrous ammonia containing 0.2% water nehed and tempered (Q and T) steel?
A. "Noncorrosive" B. "Not for Q and T Tanks" C"0.2 PERCENT WATER" D. "Corrosive Hazard"	
3. Each person who offers a hazardous material to an air provide	craft operator for air transportation shall
A. three (3) copies of the required certification two (2) copies of the required certification C. one (1) copies of the required certification D. four (4) copies of the required certification	
4. A hazardous material meeting the inhalation toxicity cr	iteria must be identified with the notation
A. Haz/Mat B. Poison-Inhalation Hazard C. Zone A, B, C, or D (as appropriate) b and c	
5. The shipper certification for other than a hazardous v	waste may be signed
A. manually B. by typewriter or other mechanical means C. a signature is not required a and b	U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 0 4 4 6 5 0 0 5 EXHIBIT NUMBER:

Module 3 - Instructor Manual

Module 3 Test

B. non-bulk package containing combustible liquid C. package containing an ORM-D not packaged with any other hazard cla D) all of the above	ass requiring labels.
A. compressed gas cylinder permanently mounted on a transport vehicle	TOP 2
	EXHIBIT NUMBER: /2 PAGE NUMBER 17 OF 20
D. Corrosive and Poison Inhalation Hazard	EXECUTE NUMBER: U 4 4 6 5 U O
B. Non-Flammable Gas Flammable Gas	U.S. DOT/RSPA/OHME/SOUTHERN REGINER NUMBER: 0 4 4 6 5 0 0
A. Poison	US DOT/DSDA/OU TO COM
 Referring to Column 6 of the Hazardous Materials Table and 172.101(any, is/arc specific for Liquefied petroleum gas. 	(g), indicate what label(s), if
D. Auto. Btry.	
© ORM	
A. AMMO B. Blk. Pwd.	
4. The following abbreviation(s) may be used in a "proper shipping descr	iption" marking
D. none of the above	
B. three inches apart	
A. on both ends of the package	
3. When two or more different labels are required, they must be display	yed
A) True B. False	
2. Required package markings must be in English.	
C. other descriptive information (D) all of the above	
B. identification number	
A. proper shipping name of the material	

Module 4 - instructor Manual

Module 4 Test

1. The Placarding requirements do not apply to	
A. infectious substances and/or hazardous materials class B. small quantities of certain hazard classes C. limited quantities (Ltd. Qty.), when noted on shipping of D. all of the above	
2. The EXPLOSIVES 1.2 placard is not required if the tra Div. 1.2 and Div. 1.1 explosives and is placarded EXPLO	ansport vehicle or freight container contains OSIVES 1.1.
A True B. False	
3. Except for bulk packaging and hazardous materials su for Table 2 materials on a rail car loaded with vehicles or fi	bject to 172.505, placards are not required reight containers that don't require placards.
A True B. False	
V4. A Class 3 liquid [1,814 kg. (3,999 lbs.)] is loaded into a meters (640 cubic feet) or more. The freight container mu	r freight container with a capacity of 18 cubic ust be placarded
A. DANGEROUS B. FLAMMABLE C. FLAMMABLE LIQUID D. no placard required	
√5. For the shipment of three hundred packages of Division. 272 kg (600 lbs.) total and 318 kg (700 lbs.) of Division 6. carrier may affix which of the following placards?	5.1 (Oxidized-labeled) material weighing I (poison-labeled), PG III, material, the
POISON and DANGEROUS B. OXIDIZER and DANGEROUS C. POISON and OXIDIZER D. Any of the above	U.S. DOT/RSPA/OHME/SOUTHERN REGION REPORT NUMBER: 04465005 EXHIBIT NUMBER: 12 OF 20
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Module 6A - Instructor Manual

Module 6A Test

1.	You may not smoke or carry any lighted material when loading or unloading
Α.	flammables

- B. explosives
- C. oxidizers
- (D) all of the above
- 2. All records, equipment and packages relating to transportation safety that are under a motor carrier's control must be available for USDOT inspection.
- A True
- B. False
- 3. Motor carriers may transport hazardous materials through urban/public vehicular tunnels used for mass transportation. However, with the exception of radioactive materials, the transportation must be performed in accordance with state and local requirements.
- A Truc B. False
- 4. Foodstuffs should not be carried in the same vehicle as:
- A. corrosives
- B. flammable gas
- O poisons
- D. oxidizers
- 5. In an emergency, DOT may permit a motor carrier to move an unmarked and/or unplacarded motor vehicle containing hazardous material.
- (A) True B. False

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Module 6A - Instructor Manual

Module 6A Test

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A) True B. False	
	S. DOT/RSPA/OHME/SOUTHERN REGION
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